

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

THIS SUMMARY ORDER WILL NOT BE PUBLISHED IN THE FEDERAL REPORTER AND MAY NOT BE CITED AS PRECEDENTIAL AUTHORITY TO THIS OR ANY OTHER COURT, BUT MAY BE CALLED TO THE ATTENTION OF THIS OR ANY OTHER COURT IN A SUBSEQUENT STAGE OF THIS CASE, IN A RELATED CASE, OR IN ANY CASE FOR PURPOSES OF COLLATERAL ESTOPPEL OR RES JUDICATA.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, in the City of New York, on the 17th day of August, two thousand and six.

PRESENT:

HON. DENNIS JACOBS,
HON. ROBERT D. SACK,
HON. RICHARD C. WESLEY,
Circuit Judges.

Abdanat Llagami, Selim Llagami,
Seriye Llagami, Elis Llagami
Petitioners,

-v.-

Nos. 05-6705-ag (L);
05-6710(Con);
05-6706(Con);
05-6369(Con)
NAC
A78-726-679, A78-257-250,
A78-726-680, A96-259-105

Alberto R. Gonzales,
Respondent.

FOR PETITIONERS: Gary J. Yerman, New York, New York.

FOR RESPONDENT: R. Alexander Acosta, United States Attorney, Southern District of Florida, Anne R. Schultz, Sally M. Richardson, Assistant United States Attorneys, Miami, Florida.

1 UPON DUE CONSIDERATION of these petitions for review of the Board of
2 Immigration Appeals (“BIA”) decisions, it is hereby ORDERED, ADJUDGED, AND
3 DECREED that the petitions for review are DISMISSED.

4 Abdanat Llagami, Selim Llagami, Serije Llagami, and Elis Llagami, through counsel,
5 petition for review of BIA decisions affirming the decision of Immigration Judge (“IJ”) Annette
6 S. Elstein denying their applications for asylum, withholding of removal and relief under the
7 Convention Against Torture. We assume the parties’ familiarity with the underlying facts and
8 procedural history of the case.

9 This Court lacks jurisdiction to review the BIA's October 26, 2005 decisions affirming the
10 IJ's denial of relief. Although the Llagamis' petitions would have been due by Friday, November
11 25, 2005, because this Court was closed on that day, the petitions were not due until Monday,
12 November 28, 2005. *See* Title 8, U.S.C. § 1252(b)(1) (a “petition for review must be filed not
13 later than 30 days after the date of the final order of removal.”); Federal Rules of Appellate
14 Procedure, Rule 26. However, the petitions were not filed until November 29, 2005. Although
15 petitioners claim that, due to this Court's closure on two consecutive “holidays,”—i.e.,
16 Thanksgiving Day, November 25, 2005, and the next day—“the date to file a petition for review
17 was extended two business days,” and that, therefore, they did not have to file until Tuesday,
18 November 29, 2005, there is no basis in law for this claim.

19 For the foregoing reasons, the petitions for review are DISMISSED. Having completed
20 our review, any stay of removal that the Court previously granted in these petitions is VACATED,
21 and any pending motions for a stay of removal in these petitions is DENIED as moot. Any
22 pending request for oral argument in these petitions is DENIED in accordance with Federal Rule

1 of Appellate Procedure 34(a)(2), and Second Circuit Local Rule 34(d)(1).

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3 FOR THE COURT:
4 Roseann B. MacKechnie, Clerk

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6 By: _____
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